



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



To: Secretary Pollack
From: Jamey Tesler, Acting Registrar
Date: October 4, 2019
RE: Grant Thornton Final Report

Secretary Pollack:

Attached for your consideration is Grant Thornton's Final Report, which we initiated in conjunction with my own review shortly after my appointment in June to help us in identifying all of the underlying issues with respect to the Registry of Motor Vehicles (RMV) and necessary improvements. We appreciate their work and they enjoyed our full cooperation in this exercise.

In addition to the six progress reports that my office has provided you, and Grant Thornton's preliminary report, I believe this final report provides additional helpful insight into the structural changes that are underway to overhaul the RMV's public safety responsibilities. The report also confirms our understanding of the underlying issues at the RMV as they have been presented in the course of our comprehensive review since June 21st.

With respect to the ongoing areas of risk referred to in the report, and particularly the remaining backlogs of unaddressed items, I would like to reiterate that we have been addressing them all and have made significant progress since July.

- As outlined in our October 3rd report, the list of outstanding work items associated with MRB functions has been reduced from approximately 22,000 to 13,000, with all work item codes pertaining to serious offenses triaged and addressed. We have also significantly reduced the number of work items that are generated daily in collaboration with the trial courts, and continue to triage and act upon those serious offenses first as well. I believe this progress demonstrates that catching up to this queue will take a matter of months – not two years – to resolve, although daily items will continue to be generated.
- As addressed in my August 16th cover letter to Grant Thornton's preliminary report, the SPEX Unit's work queue was one of the first areas we reviewed and was checked for high priority items. While this queue has been reduced from approximately 88,000 to 72,000 since then, the largest volume of items involved duplicate information rather than missing entries. We have also hired two additional staffers to SPEX for the processing of merge duplicates and as mentioned below, I will be restructuring this unit consistent with Grant Thornton's recommendations.

- We are aware of the unprocessed paper warnings that date back approximately 10 years. To be clear, these are not violation notices that by themselves may justify a suspension or other action, but they are background information that should be available to police departments for consideration in future traffic stops. While we understand the risks associated in relation to the other priority work items which we are triaging and processing, this emphasizes for us the need to shift more police departments in Massachusetts onto the e-Citations system.
- We recognize and have prioritized the urgency with which we address the Ignition Interlock Device violation queue, and have assigned staff overtime to do so expeditiously. This violation queue currently stands at 1,275, with approximately 350 being completed weekly. None of these items date back more than 30 days and these violations will continue to generate in the daily course of business, and be acted upon promptly.
- We agree that the merge process is the best solution to identifying duplicate driving records and are committed to the ongoing work, training and resources necessary to resolve these issues as they arise, and as expeditiously as possible.
- With regards to the mapping of the A98 ACD code, we have reviewed our justification with legal counsel as to why these should not result in disqualification, and will reconfirm our understanding with outside counsel that this justification is consistent with Massachusetts state law.
- Our October 3rd report also addresses our discovery of the inconsistency in the implementation and application of a 2006 statute that had been corrected in 2016, and our decision to correct that inconsistency by suspending 28 active CDL-holders who should have previously been subject to disqualification.

The final Grant Thornton report makes clear that for decades the RMV has not prioritized the processing of state-to-state notifications of motor vehicle violations. The report also validates many of the actions we have taken since then to address those failures and provides recommendations we are already implementing or are prepared to implement, including but not limited to the following:

- The RMV is committed to acting upon every single out-of-state offense notification – from the incoming mail and from the historical backlog – regardless of its severity. We have extensively reviewed in prior public reports the inherent limitations in the process by which we triaged the notification backlog. That is why we supplemented our review by conducting a comprehensive National Driver Registry (NDR) review of all 5.2 million Massachusetts driver licensure records. This database matching effort was undertaken to ensure we could capture and act upon any additional offenses triggering suspension, based on the accuracy of any updates provided by another jurisdiction within that system. In addition, the RMV is reprocessing the entire paper notification backlog as well to provide additional assurance that any serious offenses were identified and acted upon, as well as to complete the processing of non-egregious offenses.

- The processing of the paper backlog, along with the processing of all daily incoming mail, is now being conducted by the RMV's newly established Out-of-State (OOS) Notifications Processing Unit, which is staffed, fully functioning, and being supported by other RMV and temporary staff. The RMV's new Deputy Registrar for Safety, who began with us on September 30th, will be responsible for this unit's oversight. We identified these needs in our July 5th and July 19th reports.
- In its August 15th report the RMV identified a need for a Chief Compliance Officer to act as a second line of defense for risk management throughout. Our new Chief Compliance Officer, who was recently hired, will work closely with MassDOT Audit Operations and be supported by a Director of Policy to draft clear standard operating procedures to be taught and promulgated across all of the RMV's functions. As noted in Grant Thornton's final report, the Chief Compliance Officer has been tasked "with the mandate of identifying and mitigating risk, in part, through: an enterprise-wide risk assessment, risk ranking and prioritization, and adoption of effective mitigating strategies, controls and protocols."
- As we have discussed, your office and the Chair of the MassDOT Board of Director's Finance & Audit Committee are already engaged with regards to strengthening the Board and Committee's role in audit operations, and risk assessment and mitigation and beginning to develop a charter for the committee. I and the RMV's Chief Compliance Officer are available to serve as a resource in those discussions.
- As we have discussed, I look forward to working with your office and MassDOT's legal and human resources teams to address the need for additional communication with staff about a streamlined whistleblower reporting mechanism, as well as a code of conduct for managers and employees.
- Working with the Commissioner of Insurance and the Attorney General's Office designee, I have reconvened the Merit Rating Board (MRB) to help provide this unit with clear oversight, new leadership and guidance to meet its mission and continue the progress that has been made since our August 15th report. The members of the MRB have committed to meeting publicly every two weeks to maintain the focus and attention necessary to continue this momentum. I will ensure that all MRB-related recommendations in the Grant Thornton report will be considered by the Board.
- While significant organizational and structural changes have been made with regards to the positions and units identified above, I appreciate and will be carefully considering Grant Thornton's recommendations for a streamlined organizational structure over the coming weeks. In particular, I will be evaluating staff and restructuring the SPEX unit consistent with Grant Thornton's recommendations.

- I agree with the emphasis in the Grant Thornton report on the importance of culture change at the Registry. I will also continue to emphasize with all of the RMV's employees what has been my priority since arriving here – that all employee functions are essential to the RMV's overall mission and responsibility to our customers and the safety of the roadways. My door will always remain open to my employees to share any concerns.

I would conclude by noting, and emphasizing, that unfortunately Massachusetts does not seem to be alone in these challenges and what has become abundantly clear is that Massachusetts driving records can only be as up to date as possible as the timeliness of information provided or available to us. It is my hope that shared experiences and collaboration with other states in regards to establishing an electronic means by which to share information can encourage momentum and a continued national dialogue with regards to supporting interstate efforts to improve and automate the sharing of driver information and public safety on our roadways.

Finally, all of the progress reviewed within this and our prior reports could not have been accomplished without the dedication and hard work of the RMV's staff, and our state and federal partners. The RMV remains committed to creating the processes, policies and organizational structure that will allow the agency to remain current and up to date with meeting all its responsibilities.